

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 09/837,235 Art Unit: 1652  
Applicant: Christopher Marshall *et al.* Examiner: Tekchand Saidha  
Date Filed: April 18, 2001 Conf. No. 1399  
Docket No. 289550-122US2 Cust. No. 28089  
Title: **STABILIZED PROTEINS**

CERTIFICATION UNDER 37 C.F.R. § 1.10

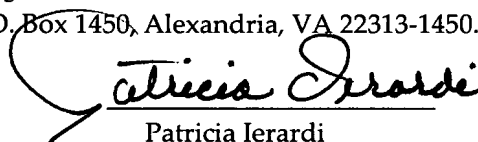
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" Service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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02/03/05

Date of Deposit

  
Patricia Ierardi

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(b)

Dear Sir:

Applicants respectfully request that the inventorship of the above-referenced application be corrected by deleting **Paul B. Marshall** from the list of co-inventors on this application. This amendment to inventorship is required because the inventive subject matter of Paul B. Marshall is no longer being claimed in the instant application.

Upon entry of the instant petition to correct inventorship, the co-inventors of the instant application will be: Christopher P. Marshall, Alexander Hoffman and Joseph P. Errico. The assignee of the instant application will remain Avatar Medical, LLC.

Appl. No. 09/837,235  
Our Ref. No.: 289550.122US2  
Petition to Correct Inventorship under 37 C.F.R. § 1.48(b)

Please charge the processing fee set forth in 37 C.F.R. § 1.17(i) of \$130.00 to our Deposit Account No. 08-0219. No additional fees are believed to be due in connection with this filing; however, if any additional fees are due, the Examiner is requested to charge our Deposit Account No. 08-0219.

If there any questions regarding this matter, the Examiner is invited to telephone the undersigned at the telephone number given below.

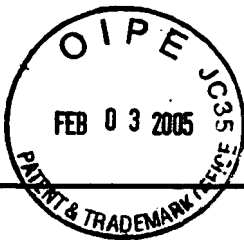
Respectfully submitted,

Dated: February 3, 2005



Jane M. Love, Ph.D.  
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I, PATRICIA IERARDI, state that I have mailed the documents identified on the attached Transmittal Form/Cover Sheet to the U.S. Patent and Trademark Office, addressed to:

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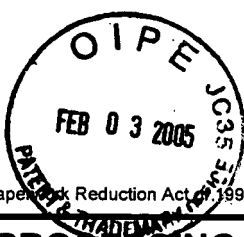
  
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Date of Deposit: 2/3/05  
Time of Deposit: 4:00 P.M.

Date of Signature: 2/3/05  
Time of Signature: 4:00 P.M.

Re: Application Number: 09/837,235  
Filing Date: 04/18/2001  
Title: Stabilized Proteins  
First Named Inventor: Marshall, et al.  
Attorney Docket Number: 289550-122US2  
Filed by: Jane M. Love, Ph.D.

Patricia Ierardi



02-04-05

B&amp;P/A, Inc.

PTO/SB/171 (11-04)

Approved for use through 07/31/2007. OMB 0651-0031

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**PROCESSING FEE  
Under 37 CFR 1.17(i)  
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
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Application Number	09/837,235
Filing Date	04/18/2001
First Named Inventor	Marshall, et al.
Art Unit	1652
Examiner Name	T. Saidha
Attorney Docket Number	289550-122US2

**Enclosed is a paper filed under 37 CFR 1.48(b) that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130.00 is enclosed.**

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 08-0219☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,  
Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

§ 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.

§ 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.

§ 1.48 - for correcting inventorship, except in provisional applications.

§ 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).

§ 1.55 - for entry of late priority papers.

§ 1.99(e) - for processing a belated submission under § 1.99.

§ 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).

§ 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d) - for requesting deferred examination of an application.

§ 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.

§ 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**

§ 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.

§ 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.

§ 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

Jane M. Love, Ph.D.

Typed or printed name

02/03/2005

Date

42,812

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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